

# HH - Historical Heritage

## Introduction

*Historic heritage* comprises the *natural and physical resources* that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from archaeological, architectural, cultural, historic, scientific and technological qualities. The District has a rich *historic heritage* and includes places and areas which are significant in the settlement, *development* and growth of Kapiti. *Historic heritage* is important to the way the District's communities are shaped economically, aesthetically and culturally. As a finite resource, *historic heritage* contributes to the well-being of the community by providing opportunities for cultural awareness, local character and identity, a sense of place and economic development. Furthermore, *historic heritage* contributes to the character and landscape (in particular cultural landscape) values of the District's places. Reference should therefore also be made to the landscape section of the Natural Environment Chapter.

The values of *tangata whenua* are particularly important to defining the *historic heritage* of the District. Māori cultural heritage - as represented in the places and spaces that are of significance to whānau, *hapū* and *iwi* - cannot be separated from Māori *environmental* values generally. The 'people' and the 'environment' are not mutually exclusive groups in indigenous knowledge systems. In this sense, values such as rangatiratanga, *kaitiakitanga*, *tikanga Māori*, *mauri*, *tapu* and *noa* are inextricably connected to *historic heritage*.

*Waahi tapu* has important *historic heritage* and living cultural value to *tangata whenua*. *Waahi tapu* sit within a larger cultural landscape and convey important understandings of the environment and Māori cultural identity: whether they are areas instilled with *tapu*, tell a story of settlement or migration, or are acknowledged as places of tribal success or defeat. The identification of these heritage values rests with *iwi*, *hapū*, whānau and marae in accordance with their *kaitiaki* responsibilities.

The RMA identifies the protection of *historic heritage* from inappropriate *subdivision*, use and *development* as a matter of national importance under section 6(f). In addition, section 6(e) identifies the relationship of Māori and their culture and traditions with their ancestral lands, *water*, *sites*, *waahi tapu*, and other *taonga*. These requirements facilitate the achievement of the overall purpose of the RMA to promote *sustainable management of natural and physical resources*.

The New Zealand Coastal Policy Statement (NZCPS) recognises that *historic heritage* in the *coastal environment* is extensive but not fully known, and is vulnerable to loss or damage from inappropriate *subdivision*, use, and *development*. The NZCPS provides a strong direction on managing the *coastal environment* in a way that protects *historic heritage*.

The Wellington Regional Policy Statement (RPS) objectives and policies build on the RMA and NZCPS requirements and place emphasis on identifying and protecting *historic heritage*.

## Strategic Context

The primary Objectives that this chapter implements are:

- DO-O1 - Tangata Whenua;
- DO-O3 - Development Management; and
- DO-O7 - Historic Heritage

**DO-O1**      *Tangata Whenua*

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

#### DO-03 Development Management

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To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the *development* of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
  - a. that are in or near a *Centre Zone* or other area with many employment opportunities; or
  - b. that are well serviced by existing or planned public or active transport; or
  - c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

#### DO-07 Historic Heritage

To protect *historic heritage* in the District for the social, cultural and economic wellbeing of the Kapiti Coast community and future generations, including:

1. supporting the contribution of *historic heritage features* and their values to the identity, character and amenity of places and landscapes;
2. recognising and protecting *tangata whenua historic heritage*, including *waahi tapu and other places and areas significant to Māori*; and
3. providing for appropriate use and *development of natural and physical resources* with *historic heritage* values, while ensuring any adverse *environmental effects* are avoided, remedied or mitigated.

The rules in this chapter apply to all *land* and activities in all *zones* unless otherwise specified. Provisions in other chapters of the Plan may also be relevant.

## Policies

HH-P1	Identify <i>Historic Heritage</i>
<p><i>Historic heritage</i> that contributes to an understanding and appreciation of the District's history and culture will be identified in the Schedule of <i>Historic Heritage</i> (Schedule 7), Schedule of <i>Notable Trees</i> (Schedule 8), Schedule of Sites and Areas of Significance to Māori (Schedule 9), and on the District Plan Maps. The schedules contain:</p> <ol style="list-style-type: none"> <li>1. places, including <i>buildings, structures, sites</i> (Schedule 7);</li> <li>2. areas (Schedule 7);</li> <li>3. <i>notable trees</i> (Schedule 8); and</li> <li>4. <i>waahi tapu</i> and other <i>places and areas of significance to Māori</i> (Schedule 9).</li> </ol> <p><b>Note:</b> The three schedules reflect the three chapters in the Historical and cultural values section of this Plan. Notwithstanding the organisation of these schedules, <i>notable trees</i> and sites and areas of significance to Māori are considered <i>historic heritage</i>.</p>	
HH-P2	Criteria for Identifying <i>Historic Heritage</i>
<p>The following criteria will be used to identify significant <i>historic heritage</i> to be listed in the Schedule of <i>Historic Heritage</i> (Schedule 7), Schedule of <i>Notable Trees</i> (Schedule 8), and Schedule of Sites and Areas of Significance to Māori (Schedule 9). For inclusion in the schedule at least one of the following must be significant:</p> <ol style="list-style-type: none"> <li>1. the values relating to the history of a feature and how it demonstrates: <ol style="list-style-type: none"> <li>a. important themes in history or patterns of <i>development</i>;</li> <li>b. important event or events in local, regional or national history;</li> <li>c. the life or works of an individual, group or organisation that has made a significant contribution to the District, region or nation; or</li> <li>d. everyday experiences from the past that contribute to our understanding of the culture and life of the District, region or nation.</li> </ol> </li> <li>2. the values relating to the physical evidence of a feature including the: <ol style="list-style-type: none"> <li>a. potential for archaeological investigation to contribute new or important information about the human history of the District, region or nation;</li> <li>b. style, design, form, scale, materials, ornamentation, period, craftsmanship or other architectural values;</li> <li>c. evidence of the history of technological <i>development</i>, innovation or important methods of construction or design;</li> <li>d. extent of modification;</li> <li>e. age of the feature; or</li> <li>f. association with other natural or cultural features in the landscape or townscape, and/or contribution to the heritage values of a wider townscape or landscape setting, and/or whether or not it is a landmark.</li> </ol> </li> <li>3. the values relating to the meanings that a feature has for a particular community or communities, including: <ol style="list-style-type: none"> <li>a. strong or special associations with a particular cultural group or community for spiritual, political, social, religious, cultural, national, symbolic or commemorative reasons; or</li> <li>b. high public esteem for its <i>historic heritage</i> values, or its contribution to the sense of identity of a community, to the extent that if it was damaged or destroyed it would cause a sense of loss.</li> </ol> </li> </ol>	

4. the spiritual, cultural or historical values associated with places, knowledge, histories and ngā taonga tuku iho sacred or important to *tangata whenua* (Māori);
5. the contribution of the surroundings, setting or context of the place to an appreciation and understanding of its character, history and *development*;
6. the extent to which the feature is unique or rare within the District or region;
7. the extent to which the feature is a good representative example of its type or era; and
8. the potential for public education.

In relation to (4), ngā taonga tuku iho is an embracing concept and can be described as treasures that whānau, *hapū* and *īwi* have inherited from tūpuna (ancestors) and covers the interconnected realms of te taha taiao (the natural and physical *environment*), te taha tinana (the human world), te taha wairua (the spiritual world) and te taha hinengaro (the intellectual world).

<b>HH-P3</b>	Additional Listings for the Schedule of <i>Historic Heritage</i> , Schedule of Notable Trees, or Schedule of Sites and Areas of Significance to Māori
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The following *historic heritage* within the District shall be listed in the Schedule of *Historic Heritage* (Schedule 7), Schedule of *Notable Trees* (Schedule 8), or Schedule of Sites and Areas of Significance to Māori (Schedule 9):

1. items listed as Category 1 on the New Zealand Heritage List Rārangi Kōrero;
2. places subject to a Heritage Order under the *RMA*;
3. *historic heritage* protected by a consent notice issued under section 221 of the *RMA*; and
4. *historic heritage* items specifically identified in the Regional Policy Statement or Regional Plans.

In addition to the criteria set out in HH-P2, when listing items in the Schedule of Historic Heritage (Schedule 7), Schedule of Notable Trees (Schedule 8), or Schedule of Sites and Areas of Significance to Māori (Schedule 9), regard shall be given to items listed as Category 2 on the New Zealand Heritage List Rārangi Kōrero.

<b>HH-P4</b>	Protection of <i>Historic Heritage</i>
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*Subdivision, development and land use* affecting the District's *historic heritage* will be managed in a way that protects *historic heritage* values from adverse *effects*.

<b>HH-P5</b>	Use, <i>Repair and Maintenance</i> of <i>Historic Heritage</i>
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*Repair and maintenance* of scheduled *historic heritage* is appropriate to maintain the continuity of use, or provide for new uses where the repair or maintenance:

1. is necessary to ensure liveability and utility is retained;
2. retains *historic heritage* values; and
3. will secure the long term viability and retention of the place.

<b>HH-P6</b>	Additions, Alterations, <i>Relocation</i> , <i>Demolition</i> , <i>Partial Demolition</i> and <i>Destruction</i> of <i>Historic Heritage Features</i>
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1. *Demolition, partial demolition, or destruction* will be avoided for *historic heritage*, excluding *notable trees*, which meets both of the following:
  - a. it is a Category 1 or 2 item on the New Zealand Heritage List Rārangi Kōrero; and
  - b. it is a *scheduled historic building or structure, scheduled historic site, scheduled historic area, or waahi tapu and other places and areas significant to Māori*.
2. *Relocation* will be avoided for *historic heritage* which meets both of the following:
  - a. it is a Category 1 item on the New Zealand Heritage List Rārangi Kōrero; and
  - b. it is a *scheduled historic building or structure, scheduled historic site, scheduled historic area, or waahi tapu and other places and areas significant to Māori*.

3. The appropriateness of *relocation, demolition, partial demolition, or destruction* of any *scheduled historic building or structure, scheduled historic site, or scheduled historic area*, which is not covered by (1) and (2) above, will be considered using the assessment criteria in this policy.
4. *Alterations and additions to scheduled historic buildings* are appropriate to maintain the continuity of use, or provide for new uses where the *alteration or additions*:
  - a. are necessary to ensure liveability and utility is retained;
  - b. retain *historic heritage* values; and
  - c. will secure the long term viability and retention of the place.
5. In any assessment of *resource consent* applications relating to the activities in 1, 2, 3 and 4 above, the following matters will be considered:
  - a. the degree to which *historic heritage* values will be irreversibly lost, damaged, destroyed or enhanced and whether the relationships between distinct elements of the *historic heritage* and its surroundings (if relevant) will be maintained;
  - b. the opportunities to remedy or mitigate any proposed or previous damage to *historic heritage* values;
  - c. the importance attributed to the *historic heritage feature* by the wider community;
  - d. whether the activity will lead to cumulative adverse *effects* on *historic heritage*;
  - e. the degree to which public interpretation of *historic heritage* is enhanced by the proposed activities, in accordance with relevant cultural protocols and without *effects* on the tangible or intangible *historic heritage* values;
  - f. the immediate *risk* to public safety or any other *historic heritage* if activity/works are not undertaken, such as the *risk* to life in the case of earthquake;
  - g. registration and the reasons for registration on the New Zealand Heritage List Rāangi Kōrero (if applicable);
  - h. policies of any conservation plan and heritage inventory relating to the *historic heritage*;
  - i. whether the item is a danger to public safety and repair is not the *best practicable option*. In determining that repair is not the *best practicable option*, regard will be given to:
    - i. the economics of a range of reasonably practicable options; and
    - ii. ensuring that every reasonable alternative has been considered to minimise the *effect* on *historic heritage* values.
6. Consideration will also be given to:
  - a. recommendations made by Heritage New Zealand Pouhere Taonga and any suitably qualified expert in heritage identification and management;
  - b. for *waahi tapu sites* or *sites* of significance to Māori, the outcome of consultation with the relevant iwi authority; and
  - c. the conservation principles set out in the International Council on Monuments and Sites (ICOMOS) New Zealand Charter 2010.

**HH-P7****Unidentified *Historic Heritage***

A precautionary approach will be taken to protecting unidentified *historic heritage*. Where no archaeological authority is in place and previously unidentified *historic heritage* is discovered, then work will be immediately stopped until the significance is assessed and adverse *effects* can be appropriately avoided or mitigated. The Accidental Discovery Protocol, as set out in HH-Table 1, will be followed in all *development*.

The *Council* will maintain publicly available information to highlight areas where there is a higher *risk* of unidentified *historic heritage* being encountered.

**HH-P8****Voluntary and Non-regulatory Methods**

The protection of *historic heritage* will be facilitated and encouraged by the use of voluntary and non-regulatory methods to support regulatory methods.

**HH-P9*****Subdivision Involving Historic Heritage***

*Historic heritage* will be protected from inappropriate *subdivision*.

Where any *subdivision* is proposed on *subject sites* containing *historic heritage features*, specific consideration will be given to the following matters:

1. whether the *subdivision* will create an *allotment* pattern that maintains or reinforces the integrity of the *historic heritage* and the character of the surrounding area;
2. whether the *subdivision* will create *allotment* or *allotments* of a size and dimension that can accommodate new *development* that will complement the *historic heritage subject site*;
3. whether new *buildings* can be sited and set back so that they do not overshadow, dominate, encroach on or otherwise impact on the *setting* of the *historic heritage*;
4. whether the *subdivision* would positively contribute to, or detract from, *historic heritage* values;
5. whether the *subdivision* will have an adverse *effect* on the ongoing and coherent management and maintenance of the *historic heritage* and its surroundings; and
6. whether a consent notice or other legal mechanism is required to protect the *historic heritage* values.

## Rules

The following rules and standards apply District-wide. These rules and standards should be read in conjunction with the District Plan Maps and the Schedule of *Historic Heritage* (Schedule 7), Schedule of *Notable Trees* (Schedule 8), and Schedule of Sites and Areas of Significance to Māori (Schedule 9) to determine if an application involves *historic heritage*.

### Introduction: Applicability of Rules

The rules in this chapter shall apply to all *land* use and activities in all *zones* unless otherwise specified. There are other rules within the District Plan that may also apply to *sites* and activities.

<b>HH-R1</b>	Any activity on a <i>site</i> with a <i>historic heritage</i> feature not specified as a <i>controlled</i> , <i>restricted discretionary</i> , <i>discretionary</i> or <i>non-complying activity</i> in the rules in the Earthworks, Notable Trees, or Sites and Areas of Significance to Māori chapters.
Permitted Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. The activity complies with all <i>permitted activity</i> standards in HH-R1 to HH-R3, TREE-R1, and SASM-R2 to SASM-R6.</li> </ol>
<b>HH-R2</b>	<i>Repair and maintenance of a scheduled historic building or structure.</i>
Permitted Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. The work must not involve <i>alterations</i>, <i>additions</i>, <i>relocation</i>, <i>partial demolition</i> or <i>demolition</i>.</li> <li>2. Any redecoration work must be limited to the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the <i>historic heritage</i>.</li> <li>3. The work must not involve painting of any previously unpainted surface or rendering of previously unplastered wall surfaces.</li> </ol>
<b>HH-R3</b>	<i>Repair and maintenance of a scheduled historic site or scheduled historic area.</i>



Permitted Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. Any maintenance and upgrading of paved <i>roads</i>, modified berms and paths must not involve <i>land disturbance</i>, <i>earthworks</i>, and the <i>alteration</i> and disturbance of <i>land</i> associated with the installation of fence posts which extends beyond the area or depth previously disturbed.</li> <li>2. Any fencing does not involve any <i>scheduled historic site land disturbance</i>, <i>earthworks</i>, and the <i>alteration</i> and disturbance of <i>land</i> associated with the installation of fence posts that extends beyond the area or depth previously disturbed.</li> </ol>	
HH-R4	<i>Alterations</i> for earthquake strengthening of a <i>scheduled historic building or structure</i> with a Heritage New Zealand Category 1 or 2 classification identified in the Schedule of <i>Historic Heritage</i> .	
Controlled Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. Strengthening work must not be visible on any exterior façade or feature.</li> <li>2. The work carried out must be consistent with the original in terms of quality, materials and detailing. Any replacement materials must be of the original or similar material, colour, texture, form and design as the original it replaces.</li> <li>3. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	<b>Matters of Control</b> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on <i>historic heritage</i> values.</li> <li>2. <i>Effects</i> on visual, character and amenity.</li> <li>3. Layout, design and location of proposed <i>building</i> or <i>structures</i>.</li> <li>4. <i>Effects</i> on context and surroundings.</li> <li>5. The matters within HH-P6.</li> </ol>
HH-R5	Any activity affecting a <i>historic heritage feature</i> , which does not comply with one or more of the <i>permitted</i> or <i>controlled activity</i> standards, unless otherwise specified.	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>

		<ol style="list-style-type: none"> <li>1. Consideration of the <i>effects</i> of the standard not met.</li> <li>2. <i>Effects</i> on <i>historic heritage</i> values.</li> <li>3. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> <li>4. Cumulative <i>effects</i>.</li> </ol>
<b>HH-R6</b>	<p><i>Alterations or additions to scheduled historic building or structure, scheduled historic site, or scheduled historic area, including:</i></p> <ol style="list-style-type: none"> <li>1. construction of new <i>buildings</i> or <i>structures</i>;</li> <li>2. work that does not meet the definition of <i>repair and maintenance</i>;</li> <li>3. internal and external <i>alterations</i> and <i>additions</i> to a <i>scheduled historic building</i>; and</li> <li>4. earthquake strengthening activities that do not comply with one or more <i>controlled activity</i> standards in HH-R4.</li> </ol>	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on <i>historic heritage</i> values.</li> <li>2. <i>Effects</i> on landscape and amenity.</li> <li>3. Layout, design and location of proposed <i>building</i> (excluding <i>minor</i></li> </ol>



		<p><i>buildings).</i></p> <p>4. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of <i>Historic Heritage</i>.</p> <p>5. The matters within HH-P6.</p>
<b>HH-R7</b>	Any activity affecting a <i>historic heritage feature</i> which is specified as a <i>restricted discretionary activity</i> and does not comply with one or more of the relevant standards, unless otherwise specifically stated.	
Discretionary Activity		
<b>HH-R8</b>	<i>Relocation of historic heritage as a scheduled historic building or structure, scheduled historic site, or scheduled historic area</i> (except where specified in this District Plan to be a <i>non-complying activity</i> ).	
Discretionary Activity		
<b>HH-R9</b>	<i>Partial demolition, demolition or destruction of a scheduled historic building or structure, scheduled historic site, or scheduled historic area</i> (except where specified in this District Plan to be a <i>non-complying activity</i> ).	
Discretionary Activity		
<b>HH-R10</b>	<i>Partial demolition, demolition or destruction of Heritage New Zealand Category 1 or 2 historic heritage identified scheduled historic buildings or structures, scheduled historic sites, or scheduled historic areas.</i>	
Non-Complying Activity		
<b>HH-R11</b>	<i>Relocation of Heritage New Zealand Category 1 historic heritage identified scheduled heritage buildings and structures, scheduled historic sites, scheduled historic areas.</i>	
Non-		

Complying Activity	
HH-Table 1 - Accidental Discovery Protocol	<b>Accidental Discovery Protocol</b>
	<p>This Schedule sets out information to alert the public to their responsibilities regarding <i>archaeological sites</i>. This is relevant with regard to:</p> <ol style="list-style-type: none"> <li>1. <i>Demolition / destruction</i> of any <i>structure</i> associated with human activity prior to 1900, whether or not it is listed by the District Plan as <i>historic heritage</i>.</li> <li>2. Earthworks or other works that may disturb per- 1900 sub-surface archaeological material.</li> </ol>
	<b>Consent required from Heritage NZ</b>
	<p>An authority (consent) from Heritage NZ must be obtained prior to the commencement of works noted in (1) or (2) above. It is an offence to modify or destroy sub-surface archaeology, or demolish / destroy a whole <i>building</i> without an authority if the person knows or reasonably suspects it to be an <i>archaeological site</i>. For further information, contact Heritage New Zealand. The relevant legislation is the Heritage New Zealand Pouhere Taonga Act 2014, in particular sections 42 and 44 of that Act.</p>
	<b>Known or suspected archaeological sites</b>
	<p>An archaeological authority must be obtained if the person undertaking the works knows or reasonably suspects it to be an <i>archaeological site</i>. The following resources may assist in that determination:</p> <ul style="list-style-type: none"> <li>• <i>Historic heritage</i> listed in Schedules 7, 8 and 9 of the District Plan.</li> <li>• <i>Sites</i> listed by the New Zealand Archaeological Association's Archaeological Site Recording Scheme (Latest information is on the NZAA website, but some <i>site</i> numbers are also included in Schedule 7).</li> <li>• Kapiti Coast District Council GIS information which highlights areas where there is a higher <i>risk</i> of unidentified <i>historic heritage</i> being encountered.</li> </ul>
	<b>Accidental Discovery Protocol - without an authority</b>
	<p>If an authority has not first been obtained, and an <i>archaeological site</i> is subsequently discovered, the following protocol must be followed:</p> <ol style="list-style-type: none"> <li>i. immediately cease operations;</li> <li>ii. inform the relevant <i>iwi authority</i>;</li> <li>iii. inform Heritage New Zealand and apply for the appropriate authority, if required;</li> <li>iv. inform the Council and apply for the appropriate <i>resource consent</i>, if required;</li> <li>v. take appropriate action, after discussion with the Heritage New Zealand, Council and relevant <i>iwi authority</i> to remedy damage and/or restore the site.</li> </ol>
	<b>Consent required from Kapiti Coast District Council</b>
	<p>In addition to any authority required from Heritage NZ, resource consent may be required from the Council. Refer to the rules in the Historic Heritage, Notable Trees, and Sites and Areas of Significance to Māori chapters of the District Plan.</p>